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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/544,795	04/07/2000	Mark Baugher	4698.P003	1551

7590 03/27/2003

FINNEGAN, HENDERSON, FARABOW  
GARRETT & DUNNER L. L. P.  
1300 I STREET N. W.  
WASHINGTON, DC 20005-3315

EXAMINER

SALAD, ABDULLAHI ELMI

ART UNIT

PAPER NUMBER

2157

DATE MAILED: 03/27/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	09/544,795	BAUGHER ET AL.
Examiner	Art Unit	
Salad E Abdullahi	2153	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1) Responsive to communication(s) filed on 30 July 2002.

2a) This action is FINAL. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4) Claim(s) 1-19 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) \_\_\_\_\_ is/are allowed.

6) Claim(s) 1-19 is/are rejected.

7) Claim(s) \_\_\_\_\_ is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) The proposed drawing correction filed on \_\_\_\_\_ is: a) approved b) disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12) The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some \* c) None of:

1. Certified copies of the priority documents have been received.

2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.

3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) The translation of the foreign language provisional application has been received.

15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ .
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .	6) <input type="checkbox"/> Other: _____ .

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**Detailed Action**

1. This application has been reviewed. Original claims 1-19 are pending. The rejection cited stated below.

***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

*A person shall be entitled to a patent unless -*

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371© of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

3. Claims 1, 11 and 19, rejected under 35 U.S.C. 102(e) as anticipated by Bienvenu et al., U.S. Patent No. 6,526,438.

4. As per claims 1, 11 and 19, Bienvenu et al., disclose a system comprising:

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- a server system (management system) including a relational database, the database includes association between a plurality of event (contents) available at plurality of sending sources and plurality of receiving clients eligible to receive selected ones of plurality of contents (see fig. 1, col. 3, lines 9-67 and col. 6, line 58 to col. 7, line 61).

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 2-10, 12-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bienvenu et al., U.S. Patent No. 6,526,438, in view of Brown et al., U.S. Patent No. 5,941,947.

In considering claims 2 and 12. Although, Bienvenu et al., discloses substantial features of the claimed invention including the step utilizing a hierarchical database, and wherein the content and clients are assigned to groups, Bienvenu is silent the details of the hierarchical database structure such:

clients assigned to a particular group are eligible for contents assigned to all ancestor groups of the particular group.

Nonetheless, such details of the hierarchical database structure is well known in the art as evidenced by Brown et al. Brown et al., disclose an access rights management system, utilizing

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hierarchical database structure including the step wherein clients assigned to a particular group are eligible for contents assigned to all ancestor groups of the particular group (see col. 2, line 20 to col. 4, line 67). Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention to modify Bienvenu by employing the hierarchical database structure as taught by Brown, such that access rights of users of the system can be effectively managed.

In considering claims 3 and 13, Brown disclose assigning a client identifier to group identifier (see fig. 5b).

In considering claims 4 and 14, Brown et al., disclose, generating ticket (token) based on a particular identifier (see fig. 6).

In considering claims 5-6 and 15-16, Brown et al., discloses a system facilitating communication between a particular client and one additional client (i.e., administrator) (see col. 21, lines 44-59).

In considering claims 7-8 and 17-18, Brown et al., disclose a system, a varies types of administrative procedures including deleting, addition, modification (i.e., user groups, identifiers, entities) (see col. 31, lines 30-44 and col. 4, line 66 to col. 5, line 18).

In considering claims 9 and 10, Brown discloses a system including a variety of server (i.e. token server) (see fig. 1).

## **CONCLUSION**

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7. The prior art made of record and relied upon is considered pertinent to the applicants disclosure.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Abdullahi E. Salad** whose telephone number is **(703) 308-8441**. The examiner can normally be reached on Monday to Friday from **8:30 AM to 5:00 PM**.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Etienne, Ario** can be reached at **(703)308-7562**. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is **(703)305-3900**.

**Any response to this action should mailed to:**

Box AF

Commissioner of Patents and Trademarks

Washington, DC 20231

**or faxed to:**

**(703) 746-7238, (after final communications)**

**(703) 746-7239, (Official communications)**

**(703) 746-7240, (Non-Official/Draft).**

As

3/17/03



ARIO ETIENNE  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100